

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

BOBBY MARSHAY HERNDON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 107-152
	)	
C and H HAMILTON	)	
MAINTENANCE CONTRACTING	)	
SERVICE, contracted maintenance service	)	
for Burke County Jail; MAJOR JOHN	)	
BUSH, Burke County Sheriff's Office Jail	)	
Commander; and STACY WILLIAMS,	)	
Nurse at Burke County Jail,	)	
	)	
Defendants.	)	

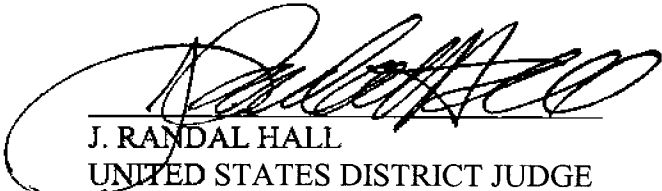
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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's § 1983 claim against C and H Hamilton Maintenance Contracting Service and his deliberate indifference to his safety claim against Defendant Bush are **DISMISSED** for failure to state a claim upon which relief can be granted.

SO ORDERED this 8<sup>th</sup> day of August, 2008, at Augusta, Georgia.

  
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J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE